

REMARKS

In the Office Action dated August 11, 2004, claims 21, 22, 24-29, and 35-42 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,116,063 (Foslien) in view of U.S. Patent No. 6,480,391 (Monson).

It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to the claims for at least the two following reasons: (1) there existed no motivation or suggestion to combine Foslien and Monson to achieve the claimed invention; and (2) even if they can be combined, the hypothetical combination of Foslien and Monson does not teach or suggest all elements of the claims. *See* M.P.E.P. § 2143 (8th ed., Rev. 2), at 2100-129.

Independent claim 36 is addressed first. Claim 36 recites a data storage system comprising a data storage system housing having an opening and reference rails located adjacent the opening, and a media storage device for storing a plurality of data media. The media storage device includes a media storage device housing having alignment grooves, each of which is adapted to slidably engage with a respective one of the reference rails such that the media storage device may be inserted into and removed from the data storage system housing by slidably engaging the reference rails and the alignment grooves and guiding the media storage device through the opening of the data storage system housing along a longitudinal axis of the media storage device housing.

Figs. 2 and 3 of Foslien depict a data storage system that has a drawer 54 with slots 56, 58 for receiving data storage media 60, 62. Foslien, 4:60-5:6. Although an unlabelled structure is depicted underneath the drawer 54 to enable movement of the drawer 54 into and out of the housing 30 (see Fig. 2), there is no teaching whatsoever of the drawer 54 having alignment grooves for engaging reference rails of the housing 30, a point that was conceded by the Office Action. 8/11/2004 Office Action at 3.

However, the Office Action relied upon Monson as teaching the missing features. It is respectfully submitted that this reliance is misplaced, as Monson also fails to disclose a media storage device for storing a plurality of data media that has alignment grooves for slidably engaging respective reference rails. As depicted in Fig. 3 of Monson, a direct access storage device (DASD) tray 95 having springs 135 is provided onto guide rails 100 of a cage 10 (*see also*

Fig. 4 of Monson). Note, however, that the DASD tray 95 is an individual storage device, not a media storage device for receiving *a plurality of data media*.

The ordinary definition of the term “direct access storage device” or “DASD” is “another name for disk drive in the world of mainframes.” See Webopedia definition of “DASD” (attached).

The guide rails 100 of the cage 10 of Monson are similar to the dividers defining slots 56, 58 in the drawer 54 of Foslien. Thus, at most, all Monson might have suggested to a person of ordinary skill in the art would be that the dividers depicted in Fig. 2 of Foslien could be substituted with the guide rails 100 of the cage 10 of Monson. A person of ordinary skill in the art looking to the teachings of Foslien and Monson would not have been motivated to provide alignment grooves on the drawer 54 of Foslien for engaging reference rails of the housing 30 of Foslien. Thus, clearly, no motivation or suggestion is provided by Monson to modify the structure of the drawer 54 of Foslien to achieve the claimed invention.

Moreover, as the drawer 54 of Foslien does not have alignment grooves for engaging reference rails of the housing 30, and the DASD tray 95 of Monson cannot be considered a media storage device for storing a plurality of data media, where such a media storage device has alignment grooves, the hypothetical combination of Foslien and Monson fails to teach or suggest each and every element of claim 36.

For the foregoing reasons, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 36.

Independent claim 21 is similarly allowable over the asserted combination of Foslien and Monson.

Newly added independent claim 60 recites a data storage system including a data storage system housing having an opening and reference structures, and a media storage device for storing a plurality of data media devices. The media storage device has a housing with alignment structures to slidably engage the respective reference structures to enable slidable movement of the media storage device through the opening of the data storage system housing. Moreover, the data storage system has a moveable media exchange device to receive the media storage device, where the media exchange device is moveable between a retracted position and an extended position. The media storage device is positioned inside the data storage system

housing when the media exchange device is in the retracted position, and the media storage device protrudes from the data storage system housing when the media exchange device is in the extended position. In addition, the data storage system further includes guide structures to moveably guide the media exchange device between the retracted and extended positions.

The asserted combination of Foslien and Monson does not teach or suggest the reference structures and alignment structures associated with the data storage system housing and media storage device, respectively, in combination with the guide structures to moveably guide the media exchange device between retracted and extended positions.

Dependent claims, including newly added dependent claims 43-59, 61 and 62, are allowable for at least the same reasons as corresponding independent claims.

In view of the foregoing, withdrawal of the obviousness rejections and allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (10012828-1).

Respectfully submitted,

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Dan C. Hu
Registration No. 40,025
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, TX 77024
Telephone: (713) 468-8880
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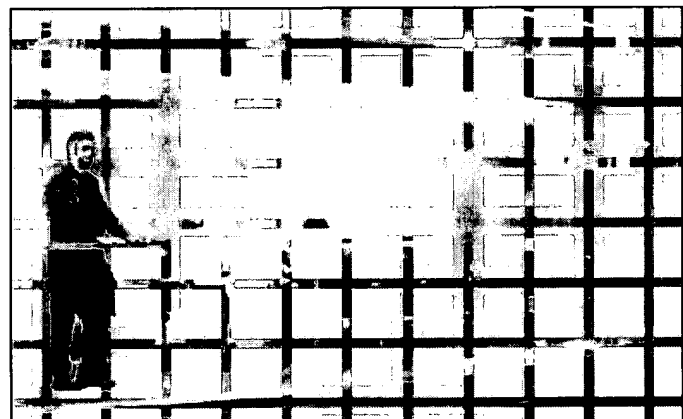
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DASD

Short for *Direct Access Storage Device*, and pronounced *daz-dee*, another name for disk drive in the world of mainframes.

Last modified: Tuesday, March 12, 2002



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